

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

June 25, 2025

Nathan Ochsner, Clerk of Court

United States of America

v.

Jose Miguel Briceno

Case No.

4:25-mj-389

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 23, 2025 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 U.S.C. § 922(g) (5)(A) and 924
(a)(8)

Offense Description

Unlawful Possession of Ammunition

This criminal complaint is based on these facts:

See attached Affidavit of probable cause

☒ Continued on the attached sheet.

Complainant's signature

Nicole Miyako, Task Force Officer

Printed name and title

Sworn to before me telephonically.

Date: 06/25/2025

City and state: Houston, Texas

Judge's signature

Peter Bray, United States Magistrate Judge

Printed name and title

4:25-mj-389

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Nicole Miyako, being duly sworn, do hereby depose and state:

1. I am a Task Force Officer with the Federal Bureau of Investigation (FBI), assigned to the Houston Division, in Houston, Texas. I have been so employed since March 2025. As part of my official duties as Task Force Officer, I am assigned to the Safe Streets Task Force. This unit investigates various violations of criminal law focusing on gangs, drugs, firearms, and violent crimes. I have received training in the areas of violent crime and organized crime and have conducted various types of electronic surveillance, authorized interception of wire and electronic communications. I have participated in the execution of search warrants and the debriefing of defendants, witnesses, and informants. I have been trained to participate in federal and state investigations that could result in the arrest and conviction of individuals, who have violated federal law. As a Task Force Officer, I am authorized to investigate violations of law of the United States and execute warrants issued under the authority of the United States.

2. The facts contained in this affidavit are based on my knowledge, training, and experience and upon information provided to me by other law enforcement officers and individuals. Since this affidavit is made for the limited purpose of supporting probable cause for a Criminal Complaint, I have not set forth every fact learned during the investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause for the crimes charged. Unless otherwise indicated, where actions, conversations, and statements of others are related herein, they are related in substance and in part only.

3. On Sunday, June 18, 2023, Jose Miguel Briceno (BRICENO), date of birth (DOB) January 17, 2000, arrived with a scheduled CBP One appointment to the Brownsville, Texas Port of Entry without documents sufficient for lawful entry into the United States. BRICENO was referred to secondary after verifying he was not in possession of valid documents to enter or reside in the United States. BRICENO was afforded the opportunity to make a consular notification but declined. BRICENO was processed for a Notice to Appear on July 28, 2026, and paroled into the U.S. pending a 240 hearing.

4. On August 19, 2024, BRICENO was served the Order of Supervision and signed and acknowledged its receipt. The Order of Supervision indicated BRINCEO must not commit any crimes. BRICENO must not associate with known gang members, criminal associates or be associated with any such activity. The consequences of violating the Order or Supervision would result in BRICENO's revocation of his employment authorization document. Furthermore, any violation of the conditions of the Order of Supervision could result in him being taken into Secret Service custody and being criminally prosecuted.

5. BRICENO is a citizen of Venezuela who has no legal status to be in the United States.

6. On Sunday, March 23, 2025, Houston Police Department (HPD) Officers responded to reports of a shooting in progress at the Latinas Sports Bar located at 6419 Hillcroft Avenue, Houston, Harris County, Texas. When officers arrived, they located six people that were wounded including four in critical condition. Witnesses on scene reported that two Hispanic males were involved in the shooting. Officers reviewed surveillance footage of the incident and a suspect and vehicle description were obtained. Officers recovered shell casings from the shooting scene and tagged them in HPD's property room as evidence.

7. HPD investigated the shooting and determined that BRICENO was the shooter based on video surveillance footage that captured the shooting and confidential source information.

8. On March 25, 2025, BRICENO was arrested on state charges of Aggravated Assault – Mass shooting in connection with his role in the shooting.

9. Following his arrest, BRICENO was interviewed by HPD officers after waiving his Miranda rights. The interview was video, and audio recorded. During the interview, BRICENO admitted to being at the Latinas Sports Bar when the shooting happened. BRICENO admitted to shooting a firearm in the doorway of the bar. Specifically, BRICENO showed officers how he held the firearm and shot while closing his eyes. BRICENO did not know how many shots he fired or how many people he injured. BRICENO said after the shooting he got in the same vehicle he arrived in and left the location.

10. BRICENO also admitted to abandoning the vehicle and disposing of the firearm he used in the shooting. Law enforcement officers have not recovered the firearm used in the shooting. BRICENO was booked into the Harris County Jail for where he is awaiting a court date.

11. On May 13, 2025, after speaking with Bureau of Alcohol, Tobacco, and Firearms (ATF) Special Agent David Lesh, I was instructed to take pictures of the back of the casings that were recovered at the shooting scene and send them to him via e-mail.

12. On May 30, 2025, I received confirmation from Special Agent D. Lesh that the nine shell casings recovered at the shooting scene were Sellier & Bellot .40 caliber S&W, manufactured in the country of Czech Republic, outside of the State of Texas. Special Agent D. Lesh is a firearms interstate nexus expert.

13. Based on the foregoing facts, I believe that there is probable cause to believe that on March 23, 2025, BRICENO committed the following offense: Unlawful Possession of Ammunition, in violation of 18 U.S.C. § 922(g) (5)(A) and 924(a)(8) and 2.



Task Force Officer Nicole Miyako
Federal Bureau of Investigation

Sworn to before me and subscribed telephonically on this the 25th day of June 2025 and I find probable cause.



Honorable Peter Bray
United States Magistrate Judge